

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CREDIT SUISSE SECURITIES (USA) LLC, :

Petitioner, :

-against- :

THEODORE S. JABLONSKI, JR., :

Respondent. :

No. 07 Civ. 6824 (WHP)

ORDER TO SHOW CAUSE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7-30-07

----- x
Upon the annexed declarations of Carey Timbrell and Alexander C.B. Barnard and the accompanying Petition, and other supporting papers, together with all exhibits and attachments thereto, it is hereby:

ORDERED, that the above named Respondent, Theodore S. Jablonski, Jr. ("Respondent"), show cause before this Court, in Courtroom 11-D of the United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on August 9, 2007, at 10:00 o'clock in the a.m. thereof, or as soon thereafter as counsel may be heard, why a preliminary injunction should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Respondent as follows:

- (a) compelling Respondent and all those acting in concert with him to return immediately (and not later than 9 a.m. Tuesday, July 31, 2007, Pacific Standard Time) to Credit Suisse all of Credit Suisse's confidential information and trade secrets, including, but not limited to, information regarding Credit Suisse customers, accounts, and market research that Respondent unlawfully took from Credit Suisse;
- (b) forbidding Respondent from accepting employment with any entity other than Credit Suisse until his resignation becomes effective on August 26, 2007, or with any competitor of Credit Suisse until September 25, 2007, when his non-competition period ends; and

- (c) forbidding Respondent from directly or indirectly soliciting (i) any customer or client of Credit Suisse to transfer its business from Credit Suisse to any other person or entity or (ii) any employee of Credit Suisse or consultant or independent contractor at Credit Suisse to leave the employ or service of Credit Suisse to join or work at another entity, until

September 25, 2007.

It is FURTHER ORDERED that pending the hearing of Petitioner's application for a preliminary injunction, and to prevent immediate and irreparable injury, loss and damage to Petitioner as alleged in the accompanying declarations and memorandum of law, that Respondent, including all persons and entities acting in concert with him, is hereby subject to a TEMPORARY RESTRAINING ORDER as follows:

- (a) compelling Respondent and all those acting in concert with him to return immediately (and not later than 9 a.m. Tuesday, July 31, 2007, Pacific Standard Time) to Credit Suisse all of Credit Suisse's confidential information and trade secrets, including, but not limited to, information regarding Credit Suisse customers, accounts, and market research that Respondent unlawfully took from Credit Suisse;

- was*
(b) ~~forbidding Respondent from accepting employment with any entity other than Credit Suisse until his resignation becomes effective on August 26, 2007, or with any competitor of Credit Suisse until September 25, 2007, when his non-competition period ends; and~~

- (c) forbidding Respondent from directly or indirectly soliciting (i) any customer or client of Credit Suisse to transfer its business from Credit Suisse to any other person or entity or (ii) any employee of Credit Suisse or consultant or independent contractor at Credit Suisse to leave the employ or service of Credit Suisse to join or work at another entity, until ~~September 25, 2007.~~ *further order of this Court*

was
It is ~~FURTHER ORDERED~~ that security in the amount of \$ _____ shall be

posted by the Petitioner prior to _____, 2007 at _____ o'clock in the ____ m.

thereof.

Case 1:07-cv-06824-WHP Document 3 Filed 07/30/2007 Page 3 of 3
It is ordered that additional opposition papers shall be served and filed by 4:00 pm on August 6, 2007 and reply papers shall be served and filed by 11:00 a.m. on August 8, 2007.

It is FURTHER ORDERED that service of this Order to Show Cause, together with the papers on which it was granted, shall be deemed good and sufficient service if made by

personal delivery, facsimile or email on Respondent or his counsel on or before 1:00 pm. on

August 8, 2007.

SO ORDERED


UNITED STATES DISTRICT JUDGE

Dated: New York, New York
July 30, 2007